



Entered on Docket  
August 18, 2009

A handwritten signature in black ink, appearing to read "Mike K. Nakagawa".

Hon. Mike K. Nakagawa  
United States Bankruptcy Judge

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E-FILED: August 4, 2009

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA

In Re:

Gail M. Marriott,

Debtor(s).

) Case No. BKS-09-15106-MKN  
) Chapter 13  
)  
)  
) Hearing Date: July 30, 2009  
) Hearing Time: 3:30 P.M.  
)  
)  
)  
)  
)

**ORDER ON MOTION TO VALUE COLLATERAL, "STRIP OFF" AND  
MODIFY RIGHTS OF DEUTSCHE BANK NATIONAL TRUST COMPANY, AS  
TRUSTEE FOR THE REGISTERED HOLDERS OF GSAMP TRUST 2006-S5,  
MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-S5 (ACCT  
ENDING IN 2522) (PROOF OF CLAIM NO. 7-1) PURSUANT TO 11 U.S.C.  
§506(a) AND §1322 NY DEBTOR**

THE ABOVE MATTER having been heard at the time and date above the Court Finds as  
follows:

1. The Debtor's property located at 8097 MICHELENA AVENUE, LAS VEGAS, NEVADA, 89147 (the "Subject Property") is valued at \$99,861.00.
2. That on the filing date of the instant Chapter 13 petition, DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR THE REGISTERED HOLDERS OF GSAMP TRUST 2006-S5, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-S5 (ACCT ENDING IN 2522) (PROOF OF CLAIM NO. 7-1)'s claim was wholly unsecured.

**IT IS THEREFORE ORDERED THAT** DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR THE REGISTERED HOLDERS OF GSAMP TRUST 2006-S5, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-S5 (ACCT ENDING IN 2522) (PROOF OF CLAIM NO. 7-1)'s secured claim is "Stripped off" and shall be avoided pursuant to 11 U.S.C. Section 506(a);

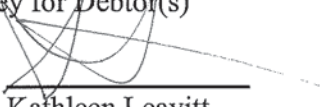
**IT IS FURTHER ORDERED THAT** DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR THE REGISTERED HOLDERS OF GSAMP TRUST 2006-S5, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-S5 (ACCT ENDING IN 2522) (PROOF OF CLAIM NO. 7-1)'s secured rights and/or lienholder rights in the Subject Property are hereby terminated and DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR THE REGISTERED HOLDERS OF GSAMP TRUST 2006-S5, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-S5 (ACCT ENDING IN 2522) (PROOF OF CLAIM NO. 7-1)'s claim shall be treated as an "unsecured" claim in the Debtor's Chapter 13;

**IT IS FURTHER ORDERED THAT** in the event the instant Chapter 13 matter is dismissed or converted to a Chapter 7 proceeding the instant Order shall be vacated.

DATED August 4, 2009

HAINES & KRIEGER, L.L.C.

By: /s/George Haines, Esq.  
George Haines, Esq.  
Attorney for Debtor(s)

Approved by:   
Kathleen Leavitt  
Chapter 13 Trustee

**ALTERNATIVE METHOD re: RULE 9021:**

In accordance with LR 9021, counsel submitting this document certifies as follows (check one):

☐ The court has waived the requirement of approval under LR 9021.

☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and any trustee appointed in this case, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

APPROVED: Kathleen Leavitt

DISAPPROVED:

FAILED TO RESPOND:

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